

REMARKS

Claims 1 and 3 have been amended. The amendment to Claims 1 and 3 relating to the expression for the amount have been made solely to further clarify a limitation that was already definite, and therefore, for reasons unrelated to patentability. Claim 2 has been canceled. New claims 5 and 6 have been added. Thus, claims 1 and 3-6 are presented for examination. Support for the amendment to claim 1 may be found in original claim 2, and in the specification at page 5, last full paragraph. Support for new claims 5 and 6 may be found in the specification at page 5, last line. Thus, these claim amendments do not add new matter. Reconsideration and withdrawal of the present rejections in view of the comments presented herein are respectfully requested.

Rejection under 35 U.S.C. 103(a)

Claims 1-4 were rejected under 35 U.S.C. 103(a) as being obvious over Sato et al. (U.S. 5,985,525) in view of Tani (U.S. 5,300,404). The Examiner alleges that it would have been obvious to use a low alkyl alcohol for a reasonable expectation of obtaining the advantages of high wetting property, high penetration power, improving sensitivity and peeling off prevention as disclosed by Tani et al. However, as explained below, this combination of references would not render the claimed invention obvious.

Claim 1 as amended recites that the lower alcohol content is between 0.05 and 2.5% by mass. As acknowledged by the Examiner at page 1 of the Office Action, Sato et al. does not specify a low alcohol or its amount. Although Tani et al. do recite inclusion of a lower alcohol at 5%, this reference does not teach or suggest including the alcohol in the amount between 0.05-2.5 % by mass as recited in amended claim 1. In fact, 5% is the only amount disclosed by Tani et al. for the alcohol component. Tani states that the advantages of the developer containing an alcohol at 5% by mass are good wettability, prevention of peeling off of patterns, improved wettability, improved sensitivity and formation of highly adhesive super fine patterns with high sensitivity. In view of the beneficial effects disclosed by Tani et al. obtained with the inclusion of a lower alcohol at 5% by mass, one of ordinary skill in the art would have had no motivation to lower the amount of alcohol to the claimed range of 0.05 to 2.5%, which is at least two-fold lower than the 5% used by Tani et al. One skilled in the art would not reasonably expect the same beneficial properties to be obtained when the alcohol is included in these significantly

reduced amounts. In the absence of such a motivation, no *prima facie* showing of obviousness can be sustained.

Moreover, including the recited amount of alcohol provides significant unexpected advantages that would be rebut a *prima facie* showing of obviousness even were such a showing present. The amount of lower alcohol in the claimed developer compositions advantageously and unexpectedly improves the dimensional controllability of the resulting resist pattern and prevents the pattern size from narrowing and widening as described in the specification at page 6, lines 2-6. Tani et al. cataloged a large number of advantageous properties to the use of alcohols at 5%; yet Tani et al. do not disclose or suggest that the inclusion of the lower alcohol has any effect on improving the dimensional controllability of the resist pattern by inclusion of a lower alcohol at 0.05 to 2.5% as presently claimed. Because this advantageous, unexpected property would be readily identifiable if it had been present, it can be inferred that the compositions disclosed by Tani et al. do not provide it. Had such a property been present, Tani et al. would have cataloged it along with the other alleged advantages. Accordingly, the unexpected properties provided by the presently claimed invention clearly evidence the nonobviousness thereof. In view of the comments presented above, Applicants respectfully request reconsideration and withdrawal of the rejection under 35 U.S.C. 103(a).

CONCLUSION

Applicants submit that all claims are in condition for allowance. Should there be any questions concerning this application, the Examiner is respectfully invited to contact the undersigned at the telephone number appearing below.

Respectfully submitted,

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Dated: December 20, 2006

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